

Town of North Smithfield Planning Board

Kendall Dean School, 83 Green Street

Thursday, June 7, 2012, 7:00 PM

The Chair called the meeting to order at 7:00 pm.

Roll Call

Present: Chair Dr. Lucien Benoit, Art Bassett, Dean Naylor, Gene Simone, Gene Currie. Absent: Alex Biliouris, Mali Jones. Also present were Town Planner Bob Ericson and Town Solicitor Rick Nadeau

2. Approval of minutes, May 17, 2012

Mr. Naylor made a motion to approve the minutes of May 17, 2012, as corrected. Mr. Simone seconded the motion, with all in favor.

3. Subdivision completion bond for The Blunders, Plat 14, Lot 23 and Plat 15, Lots 16, 19, and 190. Discussion, votes, or other actions on acceptance of a subdivision completion bond and release of lots for sale.

Mr. Ericson gave the Board a quick summary of the history of the project. He informed the Board that recently Twin Realty had Pare Corp (the Town's inspector) prepare an estimate for the cost of remaining work for top coating. The DPW director and Town Planner

both approved the estimate, and the Finance Director has approved the bond company. A quote from Miozzi for the work was submitted to the Board. The applicant will not be coming back for a bond reduction. The applicant understands that the planner will not recommend any bond reduction until the topcoat has been completed. Mr. Ericson anticipates that the first-year (after completion) maintenance bond will be about \$30,000.

Mr. Simone made a motion that the Planning Board accept the proposed bond for completion of public improvements to The Blunders, Plat 14, Lot 23 and Plat 15, Lots 16, 19 & 190 as shown in the Major Subdivision Final Plan revised to June 20, 2006. Completion of bonding with the North Smithfield Finance Director shall release all subdivision lots for sale. Mr. Naylor seconded the motion. Planning Board vote was as follows: YES: Dr. Benoit, Mr. Naylor, Mr. Bassett, Mr. Simone, Mr. Currie. Motion passed, with a vote of 5-0.

4. Highway Business (BH) zoning map: Discussion, votes, or other actions on zoning map changes proposed in the Comprehensive Plan. Discussion with Flagg RV representatives relative to proposed Quaker Highway changes.

The Board referred to the town-wide zoning map for reference during the discussion. The detail maps show the area that the Comp Plan proposed for rezoning to BH. They also referred to the Comp Plan for the list (D23, D24) and map (Map D2).

The Board began by discussing the area on Quaker Highway because a representative from Flagg RV was present to talk about a proposal for buying land on Quaker Highway to use to construct a showroom and display yard. No repairs of vehicles will take place on the proposed site. Flagg's lease at its existing site is up in October, and they would like to start the planning process on building a 2,500 sq. ft. showroom. During the course of the discussion, the Board realized that the land that Flagg is buying is not included in the Comp Plan's list of lots to be rezoned to BH, nor is the narrow town-owned lot above it. However, all lots above that lot up to the Massachusetts state line are included. The Board discussed asking the Town Council to rezone the lots listed in the Comp Plan, and additionally the two lots in question. The Chair stated that he fully supports this since there is a specific plan in the works for this land. He added that if it was currently zoned BH, they would be breaking ground right now.

Mr. Currie made a motion to recommend to the Town Council that the lots on Quaker Highway listed in the Comp Plan, as well as the adjacent lots 150 and 157, be rezoned to Business Highway. Mr. Simone seconded the motion. Planning Board vote was as follows: YES: Dr. Benoit, Mr. Naylor, Mr. Bassett, Mr. Simone, Mr. Currie. Motion passed, with a vote of 5-0.

The Board then discussed the rezoning of the area on Victory Highway. It is currently zoned BN, but the Comp Plan proposes a

rezone to BH (with part of the area rezoned to Village Residential). The Chair stated that he would like to see all of the area from Cumberland farms up to across the street from the Jehovah's Witness hall to be zoned BH.

Mr. Currie made a motion to recommend to the Town Council to include all the areas recommended in the Comp Plan in the Victory Highway/102 area be rezoned to BH, but the area proposed as VR should remain BN. Mr. Simone seconded the motion, with all in favor.

The final area discussed was the area on Eddie Dowling Highway. They Board reviewed the map and the Chair stated that it was straightforward as the area already has well-established businesses.

Mr. Currie made a motion to ask the Town Planner to prepare a 3-part zoning map to show all the recommended zone changes to BH, and additionally include Plat 1, Lots 150 and 157. Mr. Bassett seconded the motion, with all in favor.

5. Proposed zoning ordinance amendment to Section 6.19, Regulation of groundwater aquifer zones, groundwater recharge areas, wellhead protection areas and water supply basin with possible votes or other actions on recommendations to the Town Council.

The Board discussed the proposed zoning amendment and specific

recommendations on percentages of impervious area for different zones and lot sizes within the aquifer protection area. The present ordinance, Section 6.19.9, considers only lot size, allowing 40% impervious cover for lots under 200,000 sq. ft. and 30% for lots over 200,000 sq. ft. The Board discussed making it use-dependent. The Board also discussed requirements for redevelopment for lots that currently exceed the recommended percentages. Mr. Ericson stated that they could encourage LID practices, but it is not good to discourage redevelopment by imposing excessive regulations.

The Board came up with some recommended percentages (40% for Manufacturing, 35% for Business Highway, and 15-25% for Residential, depending on the lot size), and asked the Planner to create a table to summarize the discussion and send it out to the Board members.

Mr. Simone made a motion to change the order of the items on the agenda. Item 8 (Kimberly Enterprises) will be heard before the remaining items on the agenda. Mr. Currie seconded the motion, with all in favor.

6. Kimberly Development dimensional variance application, Plat 17, Lot 236 off Sayles Hill Road. Request for dimensional variance to build residential home with no frontage. Discussion, votes, or other actions on recommendations to the Zoning Board of Review.

Mr. Ericson informed the Board that the owner of Plat 17, Lot 236 is going before the Zoning Board of Review to build in a recorded 1960s subdivision with a 12-foot right-of-way. The dimensional variance request is for zero frontage. He offered to pave to 16' with no reference to Land Development & Subdivision Regulations standards) by obtaining an easement. Rhode Island law places no limits on uncompleted subdivisions. The Fire Marshal approved the application for one house. There are no wetlands constraints. The Town has no mapped street ordinance to fall back on. The Board discussed recommendations that can help make an undesirable situation better for the town.

Mr. Currie made a motion to send the following list of recommendations to the Zoning Board of Review. The motion was seconded by Simone, all voting in favor.

-at least a 16' roadway, built to town construction standards, with a preference to expand the roadway to 20'

-some form of country drainage be permitted, including super-elevation of the road

-any building should have its roof drained to dry wells

-the Zoning Board should request from the applicant a drainage analysis/study of runoff

7. Proposed zoning ordinance amendment to section 6.13-6.15, Parking and Loading, with discussion, votes, or other actions on

recommendations to the Town Council.

Mr. Ericson had sent a marked-up version of recommended changes to the ordinance amendment, as discussed at a previous meeting. The Board reviewed the changes and Mr. Naylor made a motion the Planning Board recommend changes as recorded in the suggested revisions draft as amended for section 6.13-6.15, Parking and Loading. Mr. Bassett seconded the motion, with all in favor.

8. School Department FY2013 Capital Budget and Five-year Capital Improvement Plan: Review with possible votes or other actions on recommendations to the Budget Committee and Town Council.

At a previous meeting, the Board had requested a copy of the study on the future use of Halliwell School that was paid for by the Town. The School Committee has not yet provided the study and no members of the School Committee were in attendance to discuss the study. Without knowing what the Town plans to do with Halliwell School, the Planning Board cannot assess its needs.

Mr. Currie made a motion that the Planning Board recommends against any capital improvement funding for Halliwell School until the report is released and a final decision is made. The motion was seconded by Bassett, with all in favor.

9. Planning Update: Review of current events

Mr. Ericson stated his disappointment that next year's budget proposes energy funding below the amount that was saved. Without reinvestment in energy conservation, the Town may not be able to stay in the DOE's Better Building Challenge.

The Board also set the next meeting for July 19, 2012 at 7:00 pm.

Mr. Simone made a motion to adjourn at 9:04 pm. Mr. Bassett seconded the motion, with all in favor.